

Entered 9-11-02 - sb
CL 02L0654 GWENDOLYN BURNS

CLAIM OF: FRED HOGAN
4505 River Rill Court
Atlanta, Georgia 30327

04-R-0293

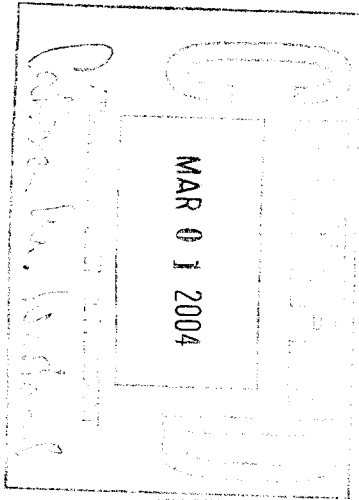
For property damages alleged to have been
sustained from several sewer backups from April
2001 through July 2002 at 4505 River Rill Court.

THIS ADVERSED REPORT IS
APPROVED

BY:



JERRY L. DELOACH
DEPUTY CITY ATTORNEY




MAR 01 2004
Gwendolyn Burns
MUNICIPAL CLERK

MAR 01 2004

ADVERSE REPORT

LEGAL ADMINISTRATION COMMITTEE

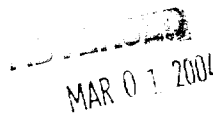
DATE: 2/24/04

CHAIR: [Signature]

Hank Shook

Gu Ty Martin

Carla Smith


MAR 01 2004



OFFICE OF MUNICIPAL CLERK

March 5, 2004

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

Fred Hogan
4505 River Rill Court
Atlanta, GA 30327

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

04-R-0293

Dear Mr. Hogan:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 01, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson
Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0654

Date: February 10, 2004

Claimant /Victim FRED HOGAN
BY: (Atty) (Ins. Co.) _____
Address: 4505 River Rill Court, Atlanta, Georgia 30327
Subrogation: _____ Claim for Property damage \$ unspecified Bodily Injury \$ _____
Date of Notice: 8/30/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/01 - 7/02 Place: 4505 River Rill Court
Department WATERSHED MANAGEMENT Division _____ Sewer Operations _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that he sustained property damage from a several sewer backups in his yard. However the issues of this claim have been resolved by City forces to the claimant's satisfaction.

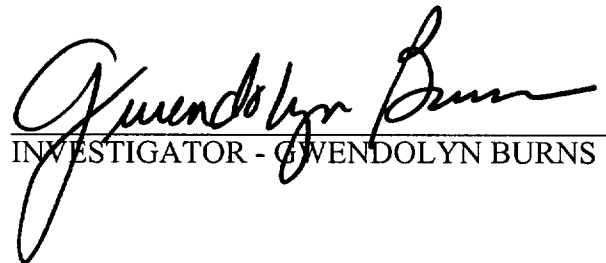
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

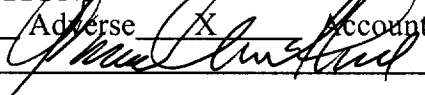
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces X
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 02/12/04
Committee Action: _____ Council Action _____

RCS# 5475
3/01/04
3:54 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I , EXCEPT: 04-O-0328,04-O-0047
04-O-0221,04-R-0309,04-O-0324,04-O-0216
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

3-01-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0324 2. 04-O-0328 3. 04-O-0332 4. 04-O-0337 5. 04-O-0338 6. 04-O-0339 7. 04-O-0155 8. 04-O-0047 9. 04-O-0221 10. 04-O-0251 11. 04-R-0039 12. 04-R-0305 13. 04-R-0306 14. 04-R-0307 15. 04-R-0308 16. 04-R-0353 17. 04-R-0298 18. 04-R-0301 19. 04-R-0313 20. 04-R-0344 21. 04-R-0345 22. 04-R-0366 23. 04-R-0248 24. 04-R-0297 25. 04-R-0325 26. 04-R-0326 27. 04-R-0336 28. 04-R-0343 29. 04-R-0355 30. 04-R-0299 31. 04-R-0316 32. 04-R-0062 33. 04-R-0302 34. 04-R-0303 35. 04-R-0304 36. 04-R-0309 37. 04-R-0354 38. 04-R-0275 39. 04-R-0276 40. 04-R-0277	41. 04-R-0278 42. 04-R-0279 43. 04-R-0280 ITEMS ADVERSED ON CONSENT 44. 04-R-0281 45. 04-R-0282 46. 04-R-0283 47. 04-R-0284 48. 04-R-0285 49. 04-R-0286 50. 04-R-0287 51. 04-R-0288 52. 04-R-0289 53. 04-R-0290 54. 04-R-0291 55. 04-R-0292 56. 04-R-0293 57. 04-R-0294 58. 04-R-0295 59. 04-R-0296